

REMARKS

By this Amendment, FIG. 1 is properly identified as prior art and claims 1-2, 6 and 8 are amended to clarify the recited subject matter. Claims 1-9 are pending and rejected.

Claim 6 was rejected under 35 U.S.C. 112, second paragraph, for alleged indefiniteness. Claim 6 has been amended to overcome the rejection and withdrawal of the rejection is requested.

Claims 1 and 3-7 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Admitted Prior Art (hereafter the "APA") in view of Apprich (U.S. 6,216,393), claim 8 has been rejected under 35 U.S.C. 103(a) as being unpatentable over the APA in view of Apprich and Carlsson et al. (U.S. 6,792,717; hereafter "Carlsson"), and claims 2 and 9 have been rejected under 35 U.S.C. 103(a) as being unpatentable over the APA, in view of Apprich and Cheng (U.S. 3,841,024). Applicant traverse the rejections because the cited prior art, analyzed individually or in combination, fail to teach or suggest all the features recited in combination in the rejected claims. For example, the cited prior art fails to teach or suggest the claimed device wherein the connection between the spindle nut and the carriage includes a sliding hinge joint which permits a relative rotating movement as well as a displacing movement at the joint, as recited in independent claim 1 and its dependent claims 2-9. Further, Applicant submits that the cited prior art fails to teach or suggest the claimed device wherein the spindle nut has radially projecting ends that interact with an abutment of the carriage such that the radially projecting ends rotate about the abutment and simultaneously the abutment is displaced in the radial direction with respect to the axis of the spindle, as recited in dependent claim 2.

With regard to independent claim 1, Applicant submits that the rotating movement and displacing movement referred to in the independent claim is movement at the joint between the carriage 2 and the spindle nut 4. The Office Action recognized that the AAPA of FIG. 1 does not include a sliding hinge joint and turned to Apprich to remedy the deficiencies of the APA.

However, in Apprich, the displacement movement is not provided at a joint between anything corresponding to a carriage 2 and a spindle nut 4. Rather, as shown in FIG. 6, and disclosed at col. 8, lines 52, to col. 9, line 14, the thrust lever 15 is mounted by one of its ends pivotably at least in one plane perpendicular to the longitudinal direction of the vehicle via swivel pin 16. The bearing

(serving as the connection between the thrust lever 15 and the fork head 14) is preferably constructed as a heavy-duty rocker bearing which permits certain degrees of freedom in different directions.

Thus, in Apprich, any displacement occurs at a free end of the thrust lever 15. In particular, as explained in col. 9, lines 10-14, in particular, the thrust lever 15 is displaced in the guide bush 17 in the axial direction, and the guide bush 17 rotates counterclockwise and simultaneously pivots the end of the thrust lever 15 about the swivel pin 16. Therefore, although Apprich appears to teach rotating movement between the thrust lever 15 and the fork head 14 (i.e., at a joint); any displacement occurs at a free end of the thrust lever 15 in the guide bush 17, i.e., not at a joint end. Accordingly, Apprich fails to remedy the deficiencies of the AAPA because the teachings of Apprich could not be combined with the AAPA to provide a connection between the spindle nut and the carriage that includes a sliding hinge joint which permits a relative rotating movement as well as a displacing movement at the joint between the spindle nut and the carriage, as recited in independent claim 1 and its dependent claims 2-9.

Further, with regard to claim 2 in particular, the combined teachings of the AAPA and Apprich fail to provide that claimed connection wherein the spindle nut has radially projecting ends that interact with an abutment of the carriage such that the radially projecting ends rotate about the abutment and simultaneously the abutment is displaced in the radial direction with respect to an axis of the spindle. As mentioned above, any displacement movement provided in Apprich is performed at a free end of the thrust lever 15 not at a joint end.

The remaining cited prior art references do not remedy these deficiencies of the AAPA and Apprich. Accordingly, claims 1-9 are allowable.

For all of the above reasons, withdrawal of the rejection of claims 1-9 is respectfully requested. In view of the above, it is submitted that all of the pending claims are in condition for allowance and such action is respectfully requested. If there is any issue remaining to be resolved, the examiner is invited to telephone the undersigned at (202) 371-6371 so that resolution can be promptly effected.

It is requested that, if necessary to effect a timely response, this paper be considered a Petition for an Extension of Time sufficient to effect a timely response with the fee for such extensions and shortages in other fees, being charged, or any overpayment in fees being credited, to the Account of Barnes & Thornburg LLP, Deposit Account No. **02-1010 (566-43618)**.

Respectfully submitted,

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